

BEFORE THE FISH AND WILDLIFE COMMISSION  
OF THE STATE OF MONTANA

In the matter of the adoption of NEW ) NOTICE OF PUBLIC HEARING ON  
RULE I pertaining to the apprentice ) PROPOSED ADOPTION  
hunter certificate )

TO: All Concerned Persons

1. On July 23, 2015, at 6:00 p.m., the Fish and Wildlife Commission (commission) will hold a public hearing at the Fish, Wildlife and Parks Headquarters, 1420 East 6th Avenue, Helena, Montana, to consider the proposed adoption of the above-stated rule.

2. The commission will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the department no later than July 10, 2015, to advise us of the nature of the accommodation that you need. Please contact Jessica Snyder, Department of Fish, Wildlife and Parks, P.O. Box 200701, Helena, Montana, 59620-0701; telephone (406) 444-9785; or e-mail [jesssnyder@mt.gov](mailto:jesssnyder@mt.gov).

3. The rule as proposed to be adopted provides as follows:

NEW RULE I APPRENTICE HUNTER CERTIFICATE (1) An apprentice hunter must be accompanied by a mentor while hunting. The mentor must:

- (a) meet the requirements of [HB 140, Chapter 449, Laws of 2015], MCA;
- (b) possess a completed department-issued designation form;
- (c) only accompany one apprentice at a time;
- (d) remain within direct voice contact with the apprentice without the use of enhancement or transmittal devices, except prescription hearing aids; and
- (e) remain within direct sight of the apprentice without the use of any magnifying or enhancing aids except prescription eyewear.

(2) [HB 140, Chapter 449, Laws of 2015] states a person cannot obtain an apprentice hunting certificate upon completion of a hunter safety course. For the apprentice hunter certificate, completion of a hunter safety and education course is defined as:

- (a) passing a state-approved hunter education course including the required test and field day; and
- (b) reaching 12 years of age by January 16 of the license year.

AUTH: HB 140, Chapter 449, Laws of 2015

IMP: HB 140, Chapter 449, Laws of 2015

REASON: The 2015 Legislature passed HB 140 creating an apprentice hunting certificate available for people 10 through 17 years of age who have not completed hunter education. The purpose of this rule is to state the legislative intent regarding

completion of hunter education; establish the process for designating and identifying a mentor; and define "sight of and direct voice contact with apprentice hunter" as required in statute.

4. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Department of Fish, Wildlife and Parks, Wayde Cooperider, P.O. Box 200701, Helena, Montana, 59620-0701; or e-mail wacooperider@mt.gov, and must be received no later than July 31, 2015.

5. Kaedy Gangstad or another hearing officer appointed by the department has been designated to preside over and conduct the hearing.

6. The department maintains a list of interested persons who wish to receive notice of rulemaking actions proposed by the department or commission. Persons who wish to have their name added to the list shall make written request that includes the name and mailing address of the person to receive the notice and specifies the subject or subjects about which the person wishes to receive notice. Such written request may be mailed or delivered to: Department of Fish, Wildlife and Parks Legal Unit, P.O. Box 200701, 1420 East Sixth Avenue, Helena, MT 59620-0701, or may be made by completing the request form at any rules hearing held by the department.

7. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sos.mt.gov/ARM/Register>. The Secretary of State strives to make the electronic copy of the notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

8. The bill sponsor contact requirements of 2-4-302, MCA, apply and have been fulfilled. The sponsor has been notified via e-mail on May 28, 2015.

9. With regard to the requirements of 2-4-111, MCA, the department has determined that the adoption of the above-referenced rule will not significantly and directly impact small businesses.

/s/ Aimee Fausser  
Aimee Fausser  
Rule Reviewer

/s/ Dan Vermillion  
Dan Vermillion  
Chairman  
Fish and Wildlife Commission

Certified to the Secretary of State June 15, 2015.